

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q91406

Hajime KONDO

Appln. No.: 10/558,389

Group Art Unit: 1796

Confirmation No.: 5714

Examiner: Peter MULCAHY

Filed: November 29, 2005

For: MODIFIED NATURAL RUBBER OR MODIFIED NATURAL RUBBER LATEX, AND
RUBBER COMPOSITION AND PNEUMATIC TIRE

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,



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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 19, 2009

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STATEMENT UNDER 37 C.F.R. § 1.704(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in a communication from a foreign patent office in a counterpart foreign application, and that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,



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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. European Patent Application No. EP 0 831 124 A1 published March 25, 1986, to The Yokohama Rubber Co., Ltd.
2. European Patent Application No. EP 0 972 799 A1 published January 19, 2000, to Pirelli Pneumatici.
3. European Patent Application No. EP 1 184 412 A1 published March 6, 2002, to Bridgestone Corporation.
4. UK Patent Application No. GB 2 003 162 A published March 7, 1979, to Institute Francais du Petrole.

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98
U.S. Appln. No.: 10/558,389

Attorney Docket No.: Q91406

5. UK Patent Application No. GB 1 505 402 A published March 30, 1978, to I.S.R. Holding, S.A.R.L. This reference was previously submitted to the USPTO and listed on a PTO/SB08 form on November 16, 2007.
6. European Patent Application No. EP 1 283 219 A2 published February 12, 2003, to Bridgestone Corporation.

One copy of each of the listed documents is submitted herewith, except for Reference No.

5.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. §1.704(d) is attached.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from the European Patent Office in a counterpart EPC application dated February 25, 2009 citing such documents and indicating the degree of relevance found by the foreign patent office.

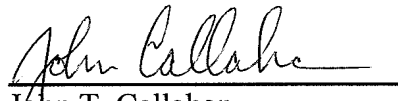
The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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UNDER 37 C.F.R. §§ 1.97 and 1.98
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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